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E-Filed 7/7/2009

Attorneys for Plaintiffs
JUAN JOSE RODRIGUEZ and
JUAN ARIAS CARLOS RODRIGUEZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JUAN JOSE RODRIGUEZ,
JUAN ARIAS CARLOS RODRIGUEZ

Plaintiffs,

vs.

AMERICAN PRIME FUNDING, BANK
UNITED, FSB., THE CIT GROUP, NAZ
DYLAN FONTILEA, JOEL VALENCIA,
WILLIAM PASCUAL, GMAC
MORTGAGE, SERGIO ALVAREZ, M&R
CONTEMPORARY SOLUTIONS, INC.,
ALLIANCE TITLE COMPANY, AND
DOES 1-50.

Defendants.

CASE NO. C-09-01127-JF

**STIPULATION EXTENDING TIME TO
FILE A RESPONSIVE PLEADING TO
VERICREST'S MOTION TO DISMISS
AND ~~PROPOSED~~ ORDER THEREON**

WHEREAS, Juan Jose Rodriguez and Juan Carlos Arias Rodriguez ("Plaintiffs") were served with Defendant Vericrest Financial, Inc.'s ("Vericrest") Notice of Motion and Motion to Dismiss Plaintiffs' Complaint ("Motion to Dismiss") on May 26, 2009, and would have been obligated to file an Opposition by July 2, 2009.

1 WHEREAS, in light of settlement negotiations between Plaintiffs and Vericrest and the
2 likelihood of a settlement, Plaintiffs and Vericrest have agreed that Plaintiffs have additional time
3 to file a responsive pleading to the Motion to Dismiss, up to and including July 8, 2009.

4 IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, that
5 Plaintiffs shall have up to and including July 8, 2009 to file a responsive pleading to the Motion to
6 Dismiss.

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8 Dated: July 2, 2009

PRATT & ASSOCIATES

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10 By: /s/ Elena Rivkin Franz
Elena Rivkin Franz
11 Attorneys for Plaintiffs
JUAN JOSE RODRIGUEZ AND JUAN ARIAS
12 CARLOS RODRIGUEZ

13 Dated: July 2, 2009

LOCKE LORD BISSELL & LIDDELL LLP

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15 By: /s/ Nina Huerta
Nina Huerta
16 Attorneys for Defendant
VERICREST FINANCIAL, INC., F/K/A
17 THE CIT GROUP/CONSUMER FINANCING,
18 INC., ERRONEOUSLY NAMED AS THE CIT
19 GROUP
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ECF CERTIFICATION

Pursuant to General Order No. 45, § X.B., the filing attorney attests that she has obtained concurrence regarding the filing of this document from the indicated signatories to the document.

Dated: July 2, 2009

PRATT & ASSOCIATES

By: /s/ Elena Rivkin Franz

Elena Rivkin Franz

Attorneys for Plaintiffs

JUAN JOSE RODRIGUEZ AND

JUAN ARIAS CARLOS RODRIGUEZ

Pratt & Associates

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1 IT IS SO ORDERED:

2 Date: 7/6/2009

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Judge of the United States District Court

Fraai & Associates

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